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23 REUNION.COM, INC.

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28 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA

1 VIOLETTA HOANG, LIVIA HSIAO,
2 and MICHAEL BLACKSBURG,
3 individually and on behalf of all others
4 similarly situated,

5 Plaintiffs,

6 vs.

7 REUNION.COM, INC., a California
8 corporation,

9 Defendant.

10 No. 3:08-cv-3518

11 **DEFENDANT'S UNOPPOSED EX**
12 **PARTE APPLICATION TO VACATE**
13 **ORDER REQUIRING FILING OF**
14 **CASE MANAGEMENT STATEMENT**
15 **AND VACATING DATE FOR CASE**
16 **MANAGEMENT CONFERENCE AND**
17 **ORDER THERON**

18 **CMS Filing Date:** October 16, 2009
19 **CMC Hearing Date:** October 23, 2009
20 **Time:** 9:00 a.m.
21 **Judge:** Hon. Maxine M. Chesney
22 **Courtroom:** 7, 19th Floor

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28 Defendant, Reunion.com, Inc., by and through their counsel of record,
hereby makes Ex Parte Application for an Order by this Court vacating its previous

1 Order for the parties to file a Case Management Statement by this Friday, October
2 16, 2009 and for a further Order vacating the Case Management Conference
3 currently scheduled for October 23, 2009.

4 Counsel for the parties have met and conferred and the undersigned
5 represents that Plaintiffs' counsel do not oppose the instant Ex Parte Application,
6 nor the relief sought herein.

7 The basis for the Ex Parte Application is that the Court currently has before
8 it two fully briefed motions: (1) Defendant's Motion to Strike and for Involuntary
9 Dismissal Pursuant to Rule 41(b), and (2) Defendant's Motion for Sanctions
10 Pursuant to 28 U.S.C. § 1927, which were scheduled for hearing on September 25,
11 2009 at 9:00 AM. The Court took those Motions under submission without oral
12 argument and the parties are awaiting this Court's decisions on both of said
13 Motions.

14 Since these Motions are potentially dispositive to Plaintiffs' case and future
15 actions of the parties, neither the Case Management Statement, nor the Case
16 Management Hearing would, in all counsels' opinion, serve any useful purpose at
17 this time. Based thereon, it is respectfully submitted that the relief requested
18 herein be granted.

19 **DATED:** October 13, 2009.

20 Respectfully submitted,

21 REUNION.COM, INC.

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24 By: /s/ Ronald J. Palmieri
25 One of Its Attorneys

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